



Nevada State Juvenile Justice Oversight Commission
Full Commission
Committee Meeting
October 16th, 2020 at 1:00 pm

Meeting Minutes - DRAFT

Call to Order: JJOC Co-Chair Judge Egan Walker called the meeting to order at 1:00 PM.

Roll Call:

Voting Members Via Phone: Judge Egan Walker (Co-Chair), Joey Oduna-Hastings (Co-Chair), Eve Hanan, Ross Armstrong, Pauline Salla-Smith, Frank Cervantes, Gianna Verness, Brigid Duffy, Rebekah Graham, Katherine Maher, Paula Smith, Jack Martin

Absent: Nancy Saitta, Jo Lee Wickes, Kevin McMahill, Mckenna Finnerty, Alejandro Gonzalez, Alexis Waddell-Upton, Scott Schick

Non-Voting Members Present: Judge William Voy, Ali Banister, Christine Eckles, Trinette Burton, Eboni Washington, Zaide Diaz-Sanchez, Captain Kenneth Young, Captain Henry Blackeye

DCFS Staff: Leslie Bittleston, Kayla Dunn, Jennifer Simeo, Kayla Landes, Kathryn Roose, Alexis Tucey

Public: Isaac Rowe – Deputy Attorney General, Jami Buhney, Tom Metcher, Frank Mourningham, Melissa Sickmund, Linda Lawlor, Lexie Beck, Sharon Anderson, Solanna Schuck, Susie Miller, Dolly Jones

*Leslie Bittleston took roll and quorum was confirmed. *

Judge Egan Walker: Thank you very much, Ms. Bittleston. Again, good afternoon, everybody. It's good to see your smiling faces for those of us -- those of you kind enough to share your video with us and for those on the phone, welcome to you also. For those on the phone, I'd like to open the session to any public comment or discussion. Is there anybody who would like to make a public comment? Does not appear that we have anybody wishing to offer public comment. The next agenda item then is approval of the July 17th and August 14th meeting minutes. Would somebody like to move to approve those minutes?

Frank Cervantes: This is Commissioner Cervantes. I move to approve.

Judge Egan Walker: Any second?

Pauline Salla-Smith: Commissioner Salla-Smith. I'll second.

Judge Egan Walker: Thank you very much. There's been a motion and a second. Is there any additional comment or discussion anybody would like to offer? Hearing none then I'll call for the vote all in favor, please signify by saying aye. Aye.

Ayes from all

Judge Egan Walker: Any opposed? Any abstentions? Minutes are approved then. The next agenda item is an update on COVID testing. Ms. Bittleston, please?

Leslie Bittleston: Thank you, Judge. In your packet, meeting packet materials, there is an attachment. The attachment is titled COVID-19 testing update through September of 2020. This is the latest update from all of the juvenile detention facilities, youth camps, and state facilities. What is representative here is so far we have done a combined 521 youth tests, 14 positive tests or a positivity rate of 2.69 percent. We have done a total of 482 staff tests with 23 staff test positive for a 4.77 percent positivity rate amongst staff. The next box is all of the numbers of youth and staff that have tested positive and where they are. Overall we've done 1003 tests, combined youth and staff, 37 positives for 3.688 percent positivity rate. I have heard there are more positives in the month of October, but I will not get that information until the end of the month, so this will be updated at the end of October again. Are there any questions?

Judge Egan Walker: Just a comment.

Eve Hanan: Yeah.

Judge Egan Walker: Please go ahead.

Eve Hanan: Oh, yes. Thanks. This is Eve Hanan for those of you on the phone who might not see me. I just wondered if we -- is -- has -- have there been any -- I realize some of this might be protected information, but insofar as it's public, any health complications or hospitalizations for staff or the children who tested positive?

Leslie Bittleston: Leslie Bittleston for the record. We do not get that level of detail, so I cannot answer that. If that is something that the Commission would like, I could reach back out to all of the places, facilities that have had positives to see if they want to provide some more information.

Eve Hanan: So my thinking was that it's -- it'd only be relevant insofar as it would have something to do with, you know, our mandate and our work here but I'm thinking about assurances about how the institutions are handling COVID and more resources that they may need.

Leslie Bittleston: Right. And Leslie Bittleston for the record. What facilities have been doing is they have been quarantining. That has not stopped. So all new youth admissions are quarantining for about 14 days. Some may be a little more, a little less, but that is still up and running and that has not changed to my knowledge.

Joey Orduna-Hastings: Judge Walker, may I ask a question?

Judge Egan Walker: Certainly.

Joey Orduna-Hastings: So, Leslie, do we know, or anybody on this meeting today, for those jurisdictions that continue to have the tests done and they come back positive, is there any coordination happening with the courts about maybe looking at release guidelines or things like that to decrease the population in the centers? I see Ali shaking her head yes. Can anyone share with us any court interaction or decision making about release that might be going on?

Frank Cervantes: Commissioner Cervantes, I can -- oh, go ahead, Ali.

Joey Orduna-Hastings: Okay, so Ali can go first and then Frank.

Ali Banister: Okay. And I'm sure mine is pretty similar to Frank's, but we were -- our district court judges signed an administrative order basically giving the chief or main representative the authority to release -- in a situation like that where we have a positive case, like, we can release on house arrest.

Joey Orduna-Hastings: Thank you. Frank?

Frank Cervantes: This is Commissioner Cervantes. Chair, it's similar for Washoe County. We have the administrative order from the court to release for, you know, several reasons: if there's a capacity issue; if it's a COVID specific issue. So we have some flexibility to help keep the overall count down in the facility should it start to get exceedingly high?

Joey Orduna-Hastings: Great. Thank you. Anyone else? Anyone from --

Paula Smith: Yeah, this is Paula Smith with Washoe tribe. We've been just using ankle monitor instead of doing detention out of Elko.

Joey Orduna-Hastings: Thank you.

Pauline Salla-Smith: This is Commissioner Salla. We're following Washoe and Carson also. If we need to, we have the ability to do it, but we're also increasing our conditional releases and only detaining if it's absolutely necessary.

Joey Orduna-Hastings: Thank you. Judge Voy or Commissioner Martin, are -- is there any similarities with anything going on in Clark County?

Jack Martin: Yeah, this is Jack Martin. We don't have an administrative order issued by our judgment. Our -- both of our judges have been very willing to hear cases as they come up. They've been very fluid with us operating based on a case-by-case basis where we staff it with them and our detention population is about half of what it was pre-COVID so our judges and our district attorneys are being super cooperative and only detaining the kids that are a threat to the community.

Joey Orduna-Hastings: Great. Thank you.

Judge Egan Walker: An observation if I may, Joey?

Joey Orduna-Hastings: Please.

Judge Egan Walker: We always need to be asking whether the concern that was raised at the beginning of the COVID crisis, not just in the juvenile justice system, but across the criminal system, the concern that detention or adult criminal detention or youth juvenile delinquent detention would create a sort of super spreading event within the facilities or because of the congregate nature of facilities among the children in the facilities. Interesting observation to me that the staff positivity rate is higher than the youth positivity rate. I measure those to be good things thus far, and I'm optimistic. Further, the positivity rates that we're seeing in youth and staff across the system are much, much lower than the positivity rates in each of the communities. So for example, Washoe County right now has a very high positivity rate within the County, the highest in the state right now. And so I see optimistic evidence in this reporting. I'm thankful for the reporting and I'm thankful to work -- for the work you're all doing to thus far apparently succeed at the prevention of the intrusion of the virus into detention facilities.

Joey Orduna-Hastings: Agreed. Excellent point. Thank you.

Judge Egan Walker: Any other questions or comments then?

Eve Hanan: Judge Walker, if I may just ask a follow-up question? I do agree that this -- I also noticed that where staff has tested positive, that's not the same location as where youth have tested positive, which suggests low or no transmission between the two groups, but I wondered if the positivity rate was also just a product of the fact that the facilities are doing quite a bit of testing so they're catching a lot of the negatives too, which is a -- which is, no pun intended, also a positive sign just to do high amounts of testing, if we have a sense of whether -- what the testing rates are. I guess we could look at the numbers and say that they're fairly high compared to, say, community testing rates. That might be a question for Ms. Bittleston.

Leslie Bittleston: Oh. Oh, sorry about that.

Eve Hanan: Yeah.

Leslie Bittleston: This is Leslie. Yes, I believe you're correct in that assessment. I know that in order for staff to return to work, they need at least two positive -- two -- excuse me, two negative tests. So when I present the data, this is not an unduplicated count. So these are just total number of tests. So one person could have five tests. So that's just how the data is being presented.

Eve Hanan: Okay, great. Thank you.

Leslie Bittleston: Sure.

Judge Egan Walker: Any other discussion on agenda item number 5 then, the COVID-19 testing? Jack, did you want to weigh in there?

Jack Martin: Yes, sir. Thank you for the opportunity to weigh in. I think more importantly, something that we need to be looking at as a state is less about the positives that are hitting our kids in terms of actual COVID and seeing the devastation that is creating at the homes. Our harbor locations and our truancy prevention outreach program are seeing huge increases in anxiety, depression, and weight gain, and lots of other things with these -- with these kids that I think are going to have a longer standing probably societal impacts and mental-health impact on these children than their possibility of actually catching, contracting COVID. You know, the bystander effects or the -- you know, the unintended consequences of this are going to be devastating I think on an entire yearlong of kids. So that's a lot of what we're dealing with right now in our prevention arm of DJJS and I think it's something that we need to keep in mind.

Judge Egan Walker: So if I may, Joey, I couldn't agree more. Jack, do you, or Judge Voy, do you, or does anyone have a suggestion for how we can capture metrics of mental health wellbeing across our children and their families?

Jack Martin: I know in Clark County -- this is Jack Martin for the record. In Clark County we're using our harbor and our key pop programs as those metrics, as we're collecting. Like, we've seen 500 families and I've -- in key pop, and -- I think I'm quoting off the top of my head, I'm driving, about 65 percent of those evaluations that we did showed some level of anxiety, depression, or anxiousness around being isolated. So -- I mean, and that doesn't include the harbor. We haven't started pulling those numbers yet.

Judge Egan Walker: Leslie, do you think there might be an easy way to add the matrix of mental-health wellness for lack of a better way to describe it to this report? Because I think Jack's point is an adroit one. It's not just whether or not an individual has the virus or is a carrier of the virus, but all of the secondary effects to them and around them and within their family related to the stress of the virus across our communities.

Leslie Bittleston: This is Leslie for the record. Yes, but what specific question would you like me to ask because I want to make sure that I'm getting the exact data that you would like?

Judge Egan Walker: So I would turn to my colleagues, then, the administrators, Frank, Jack, Pauline, any suggestions you have. I know each of you administers a screening tool at intake. Suggestions?

Pauline Salla-Smith: This is Commissioner Salla. I think that it's -- I mean, if we -- if we go by self-report from our kids and their family versus, like, a diagnosis, that's going to be different too. I think that this -- that might be a difficult one to capture because if -- I mean, you know, if we're talking to our kids and they report anxiousness from the COVID, that could change from day to day, and would we be capturing accurate data, or if we're going to -- if it's what we capture on assessments, then, you know, that would -- that would narrow how we're going to define it because I think that this could be -- that this could get really blurry if we don't narrow it by capturing it on an assessment.

Judge Egan Walker: So how would you suggest handling it?

Pauline Salla-Smith: I would say -- I would ask -- I would ask the jurisdictions if they're seeing -- like, maybe we can compare or what's the rate on the assessments of our screening tools. I think we're going to have to use our screening tools of identified mental-health issues, but that's not just going to be anxiety over COVID, that's going to be any of them. So I'm not -- I'm trying to talk this through, but I think it might be difficult to capture this in the way that you -- that the commission's looking at. So I'm just talking it through out loud.

Judge Egan Walker: Understood,

Ross Armstrong: This is Commissioner Armstrong, and I know we can provide data of calls coming into the children's mobile crisis line. They had their highest month for calls last month. We are also tracking a potential uptick in youth suicides right now in Clark County. Of the 13 youth suicides in Clark County this year, seven have occurred within the last 30 days, and we may also be able to pull some metrics from Medicaid billings. Obviously that doesn't capture non-Medicaid, but we have a very high percentage of our kids on Medicaid so I can commit to working with Leslie to pull together any child health-related data that we can get out of our different HHS systems for the next meeting. It wouldn't be specific for JJ youth, but certainly, you know, that would be -- our counties would probably have the best data on their youth in the field, but I can make sure we present that data that's available to us at the state level.

Judge Egan Walker: Thank you very much for that offer, Ross. So I might -- Frank, I don't know if you wanted to weigh in?

Frank Cervantes: This is Frank. I was just thinking that it's a little bit easier to try to capture kind of, you know, quantity-wise in detention on admission than it is trying to capture some of the community because you're looking at levels of anxiety and depression and things but, you know, one tool that you could leverage a little bit is in the MAYSII in detention, we could look at is there an increase in cautions and warnings around, you know, somatic complaints and depression and those things, but it's somewhat

telling, but as we just discussed, our overall admissions are down significantly so it's only capturing a reduced number of the population that we're working with in general, but it could give you an idea of, you know, are the kids that are coming through the door experiencing at a greater rate now than they were prior to COVID on some of those markers on the MAYSII.

Judge Egan Walker: Well, perhaps they might (inaudible) all of (inaudible) colleagues in this way. Um, I don't tend to use NAJJA as a de facto subcommittee of the JJSC, but I wonder if at NAJJA you might all discuss whether you think there are some reading metrics that you can easily report. Each of you use as a screening tool, I think they are unfortunately different, but nonetheless, there are probably some metrics that could be pretty easily captured because again, to Jack's point, we're in this, and I think we're in this now for the long haul and don't want to miss measurement of child welfare (inaudible). Thank you, Ross, for the comments. Anybody else want to weigh in on this topic?

Pauline Salla-Smith: This is Commissioner Salla. I just wanted to acknowledge that we will bring that up in NAJJA in the next meeting.

Judge Egan Walker: Thank you very much for that. All right, then let's move to item number 6. That's a data presentation of the staff on a number of topics. Leslie or Ross, would you like to introduce them?

Leslie Bittleston: Sure. This is Leslie for the record. We are going to present data today on juvenile sex-offender data, a summary of the state fiscal year '20 community corrections partnership block grant, YLS (phonetic) commitment data, SB1074, and Kayla Landes can correct me if I'm wrong. It may just be July and August, but we also have use of force for the state facilities for state fiscal year '20 and July of August of 2020. So the first thing we will do is go over the juvenile sex-offender data. There is -- there is a document in meeting materials titled juvenile sex offender treatment data. Just to update the group, we at the state have been gathering juvenile sex-offender data around treatment for about seven years, I believe. This data has gotten behind in the past and we just now caught up on entry and all of the data around this juvenile sex-offender treatment. So we are now able to provide some information to you all on what this looks like. So if you pull up your -- your document titled juvenile sex offender chart 1, this is the average age of arrest for a sexual-related offense and this is broken up into four -- four different categories. We input state fiscal year '13 through state fiscal year '17 in the same database, and then beginning with state fiscal year '18, we separated those databases by years. So the first bar you see is average age of 14.6, that is for four years of data: state fiscal year '18, 14.02; state fiscal year '19, 13.46; and state fiscal year '20, 13.93. Moving on to chart number 2, this is the successful versus unsuccessful completion of treatments. Again by those four different groups, state fiscal year '13, '17, and then '18, '19, and '20. And as you can see from state fiscal year previous, we had a lot of success and success seems to be down a little bit, declining in state fiscal year '19 and '20 and this may be due to the number of individuals or youth within these data sets, which I will present how many are in the data sets at the very end. Chart number 3 is the average length of stay and treatment in months. As you can see through the four datasets that the average length has increased over time: state fiscal year '20 is 19.57 months. And then we've got for charts 4 and 5 re-offenses during treatment and we break this down by a re-offense that is of a sexual nature or a sexual charge or a re-offense that is a non-sexual charge. That would be your regular drug offenses or anything like that. So as you can see, we've historically, 2013 to 2017, had less than 3 percent, went up to a little over 5 percent in state fiscal year '18, state fiscal year '19. We had zero re-offend of a sexual charge during state fiscal year '19, and then '20, we have 14.3. And then with the same group, this is the non-sexual related charges, we had quite a few in state fiscal year '13 through '17, increased in '18 and '19, and zero in '20. This is chart 6 and 7. This is a re-offense after treatment. So after successful treatment, the counties look at these kids sometimes three months, six months, 12 months, I think they have all different times that they're doing this. So they are doing -- they are doing a look back of these youth to see who is re-offending

after treatment, and again, this is broken up by sexual charge and non-sexual charge. So overall we're doing really good or they're doing really good on no re-offenses of a sexual nature. And then moving on to of a non-sexual nature, we did see quite a high number in state fiscal year '19 re-offending and nobody in state fiscal year '20. And then this last little chart is the data sets. So we had a total of 409 youths in the dataset from state fiscal year '13 to '17, 94 in state fiscal year '18, 40 in state fiscal year '19, and 18 in state fiscal year '20. I do want to make the caveat that we are still getting data in for state fiscal year '20 so this data set may increase. I am just presenting to you what we have to date. So this is all the information we've got and I will commit to presenting this annually to the JJOC just to keep you updated.

Judge Egan Walker: Questions or comments for Leslie on juvenile sex offenses?

Judge William Voy: This is Judge Voy. Can I comment?

Judge Egan Walker: Yeah. Go ahead, Bill.

Judge William Voy: I appreciate it. The average length of treatment is anywhere from nine to 12 months in a normal kid, but a kid that doesn't have any other impediments, mental health -- serious mental-health issues that would -- or other capacity issues that would elongate any treatment programming. Plus, disruption of a treatment programming, say if the kid goes to a correctional placement for a period of time, right, and it's disrupted. So the '19, '20 numbers, the '20s obviously going to be totally -- not totally misleading, but very misleading because again, a lot of these kids that in -- were 2019 are still finishing. They haven't finished their treatment yet, haven't gotten to that point yet, and majority of these kids are under our jurisdiction for 36 months. So I would -- when looking at those numbers, I would like to know, I think it'd be important to know, who's defining what successful treatment is and when that occurs, because in practice at least down in Clark, we hold onto that kid until they successfully complete, or until they either move on to the adult system or age out of our system or whatever. So I'd be interested to see what the mechanics are as to declaring someone successfully treated or not. And then lastly, I just -- we finished our JSO study down here, using NCIC and our recidivism rate is 4 percent for sex offense. If you add violent felonies against a person, it creeps up to about 8 percent, and that was the study that we commissioned. We did -- started eight years ago, looking back in time and a lot of the subjects that we looked at were in their 30s by the time we checked their re-offending issue through NCIC for example. So that information hasn't been published yet, but I just wanted to share that with the group. That kind of study has never been done before to my knowledge anywhere in the United States, so that's fairly consistent to the level of successful treatment that shows not 2020, but prior years. Plus be -- you started your gathering of your information you said about seven years ago. There are ebbs and flows obviously, you know, after -- I'm starting my 18th year now so there are ebbs and flows as far as the age part is concerned also, that can flow. If you had the statistics for 2010, 2009, you would see some fluctuation there also, which we saw in some of the stuff that we did in preparing our study.

Judge Egan Walker: Thank you for those comments, Bill. Other questions --

Judge William Voy: No problem.

Judge Egan Walker: Other questions or comments related to (inaudible)? Super exciting lesson, I'm really thankful to see this data. Obviously data is only as good as (inaudible) in how we scrub it, but this is exactly what the CSG study was suggesting should be of the goals for our system is tracking recidivism across the population of children, not just of course in the sex offenders, but children in general in the juvenile justice system. Great start. Thank you for the data. I'll welcome it on a yearly basis. Other questions, comments, or concerns?

Kayla Dunn: Judge Walker, this is Kayla Dunn. I just wanted you to know that Leslie just texted me and she just got booted so she'll be right back, and I'm having a hard time hearing you. I was wondering if the people on the phone could mute. Is everyone else having the same issue or is it just me?

Judge Egan Walker: Well, I think it was suggested that folks on the phone were able to go ahead and mute. It would kill some of the background noise. I'm sorry, if I'm (inaudible). I've tried adjusting my mic to the extent I can and I'll try and sit as close to it. In addition to that, Joey, I think may have to (inaudible). Joey, you may have to jump in if my connection (inaudible).

Joey Orduna-Hastings: Okay.

Judge Egan Walker: Thank you. Thank you for that, Kayla. All right. Other questions or comments about this sex-offender treatment? Let's move into the community correction partnership block grant. Leslie? All right. No, I don't think she's rejoined us has she?

Kayla Dunn: She's trying.

Ross Armstrong: I can -- I think I can pinch it for her, Judge. There's a document that is in the materials that talks about the community services block grant data. You can see there the performance data in terms of 914 different youth served with that grant, the different types of programs and services, and typically when the state advisory group, you know, receives the grant applications, there are priority areas that the JJOC or the SAG have identify for folks to -- for folks to apply for. You can see a racial and age breakdown of who received the services from this community corrections block grant -- I'm sorry, the community services block grant, and there's also a gender breakdown, and then who's receiving the services. So that's a helpful chart because the idea of this grant funding is to help with those prevention, lower-level youth that we can see that that is where the vast majority of the funding is going to those low and particularly helpful as those moderate at-risk youth, you know, prior to them escalating to high or very high and needing to be committed to the state. So there are additional -- there's some additional data points on that report. That's about the extent of the update that I can give without Leslie, but that is --

Leslie Bittleston: I'm back now. I'm back now back.

Ross Armstrong: Leslie's back. So if you have questions about that report as you scroll through, you know, I -- definitely toss them to Leslie.

Leslie Bittleston: I apologize. I got booted right off. Everybody froze and then I was gone. So the basic thing about the community partnership block grant data that is new this year is we do have some data around the YLS, and just to put a caveat to that, that the YLS was rolled out throughout the last fiscal year. So this data is only partial, but I did provide the YLS data that was provided and -- so that is chart number 4. So it lets you know where they fall: low, moderate, high, and very high. One thing that I did do is I was able to verify that any youth that had a weapons charge did fall in high or very high; nobody with a weapons charge was moderate or low. And then the last chart, the breakdown of charges, as you can see, the highest number of charges are drug-related offenses. The next one, referral or diversion, these are youth that came without a charge. They were just referred to the individual probation department for something and sometimes services are provided, counseling or something, without a charge. So that is --

Ross Armstrong: Leslie? Sorry.

Leslie Bittleston: Yeah. Go ahead.

Ross Armstrong: This is Commissioner Armstrong. I misspoke when I was presenting on your behalf and said the SAG was involved and they picked priorities. This is the grant that is the direct state general fund to the county --

Leslie Bittleston: Yes.

Ross Armstrong: -- probation departments, correct?

Leslie Bittleston: Yes, this is not the formula grant.

Ross Armstrong: Okay. I apologize for the confusion I may have caused.

Leslie Bittleston: Yes. So, yes. So this is 100 percent state general funds. This block grant is awarded to all of the counties annually based on a breakdown of school-aged children in that county. So I can take any questions. Okay.

Judge Egan Walker: Leslie, do you want to go ahead and move to the YLS commitment?

Leslie Bittleston: Yes. Thank you. That will be Ms. Jennifer Simeo.

Jennifer Simeo: All right. Hello everyone. Jennifer Simeo for the record. I'm going to review the document that is entitled JJOC YLS data. And can everyone hear me okay?

Joey Orduna-Hastings: Yes.

Jennifer Simeo: Okay. All right. So the first graph is -- so we now have data for January through September. The first graph is a breakdown of 166 youth committed to either Caliente Youth Center, Nevada Youth Training Center, or Summit View Youth Center, and we can see we had four low, 26 moderate, 108 high, and 28 very high, those total YLS risk levels. And then the second graph is just a representation of that same data in percentages. So we had a 2 percent that were low, 16 percent were moderate, 65 percent were high, and 17 percent were very high. Again, that's out of the 166 youth committed. The third graph is a breakdown -- third and fourth graphs are breakdowns of male and female commitments. So for male, we had 22 very high, 90 high, 23 moderate, four low. And for females, we had six very high, 18 high, three moderates, and we had no low-risk level females. And that was -- for males, we had 139 and for females, we had 27 total. Going down to the next graph, we have the commitments by county and of course, Clark County is where most of the commitments come from, and you can see with all the counties, we have mostly high-risk youth being committed to the state. The next graph talks about all the domains in the YLS. So we have the one -- the first domain, that's that static prior and current offenses domain, and then 2 through 8 are our dynamic domains and as per kind of the history that's been going on this year, it looks like our leisure and recreation, our peer relation, and our substance-abuse categories are in that top three of the highest risk levels. And then going down to the last two graphs, the last meeting, you asked for some data on overrides. So the data represented in the graphs above are just the total YLS risk level from the actual YLS, and then the override is where the rater will decide that the YLS risk level was not correct, that it doesn't really adequately explain what's going on with the youth's risk levels. So we did have a total of 13 overrides. One was low to high, and the reasoning behind that low to high was it was a sexual based re-offense. There were nine moderate to high overrides and the reasonings for those ranged from -- three were due to the severity of the offense, one included a firearm charge, two were due to sexual based re-

offenses, one was a lack of services to address the behaviors, one was the sophistication level of the offense, one was high level of gang involvement. We had two overrides that were high to very high and the reasoning behind those were a lack of remorse on the part of the youth and multiple responsibility factors, limited family supports, and the level of diagnoses. And then we did have one high to low, and it looks like the reasoning for that was just intensive wraparound services for the youth. And then the last graph, and we had presented this data to one of the subcommittees, but we had identified some youth that were committed to DCFS, but their YLS was being completed after their commitment date, so this graph represents January through September. We have seen a downward trend of that. So we started with about 15 in January and kind of have come down from there. So in September we only had two.

Pauline Salla-Smith: This is Commissioner Salla. Can I ask a question about those two? So I can understand because some of our jurisdictions weren't trained with YLS, you know, for a while and are getting up to speed on that, but if it's in our statute that the YLS is completed prior to disposition, like when we're going to a dispositional hearing, can you help explain, like, how come some of them are not being completed? Do you know that? I'm not even sure if you know that, Jennifer.

Jennifer Simeo: I -- Jennifer Simeo for the record. I do not know why. I -- we wanted to present it to maybe further understand why that was happening.

Judge Egan Walker: Are you -- I don't -- I don't want you to disclose it right now, Jennifer, but do you know which jurisdictions those numbers represent?

Ross Armstrong: This is Commissioner Armstrong. It looks like there's a total for the year underneath the graph. I don't know about, like, the breakdown for the most recent ones, but certainly that's something, you know, that we can -- we can get and it identifies the opportunity for education and -- you know, judicial and probation education on that.

Judge Egan Walker: Yeah, I suspect, other than Judge Voy of course, it may be an issue of judicial education as well. In other words, that a disposing officer, judicial officer, may not know or may not be applying the statute as Pauline points out, which requires that we know the youth level of service prior to this position. So there are multiple levels at which it can be happening, but again I would say bravo on the ability to produce the data. My question for all of us would be does this reflect a positive change recalling CSG's observation that we were recycling a lot of low and moderate-risk youth with services in the system.

Pauline Salla-Smith: This is Commissioner Salla. I think that the data is definitely -- we're pointing -- we're going in the right direction by utilizing the TLS. I mean, clearly --

Ross Armstrong: My guess is --

Pauline Salla-Smith: -- the youth that are being committed are the -- how we want (inaudible). This --

Judge Egan Walker: So, Pauline, I mean this humorously. I mean this humorously, Pauline, you're breaking up and we can't hear you yelling out the window.

Joey Orduna-Hastings: Judge Walker, I'm texting her as well to see if that might help.

Judge Egan Walker: Hopefully she's not going to be texting and driving, but I think she had some useful comments to offer. I wonder -- or to make. I wonder if anyone else has any comments about what I -- what may be a rhetorical --

Pauline Salla-Smith: Oh, my gosh, can you guys not hear me?

Judge Egan Walker: You -- we can now, Pauline, but we couldn't at first.

Pauline Salla-Smith: Oh, my gosh, and no, I am not texting and -- I don't know how much you guys didn't hear, but I do think that this is a topic that we can bring to our YLS quality assurance committee because that's a perfect opportunity for us to identify trainings. So I do think our data's point -- I think we're going in the right direction. We have an active YLS quality assurance committee. So I think that we can -- we can help support the training initiatives.

Brigid Duffy: This is Commissioner Duffy. So I -- obviously what I'm seeing is 82 percent of the kids that were committed or have been committed in 2020 were high or very high and for me, all that tells me about CSG's study is prior to having the YLS, we were either already committing the right kids even though what they were seeing were the offenses for which they were being committed may have been minor offenses, but that's only a negotiation tool. So I don't know that I could answer your question, Judge Walker, because we could have always been committing the right kids. Now I'm more confident that the kids that are our highest risks are going, but I don't know if it shows that we've changed at all.

Ross Armstrong: Yeah. This is Commissioner Armstrong and I would echo Ms. Duffy. I think, you know, some good -- some good signs as you look at that percentage between 'em and that to me is fairly healthy and it allows us to say okay, let's dive into those few low and moderate and are there services that we need to develop in our communities to just take them off the table, right, and reduce that confinement number. Also the -- you know, I think -- I did the math, it's like seven percent oversight -- override rate. You know, it's not like we put in this tool and the boots on the ground are just, like, overriding it and going with the way they've always gone. So I think that too is an indication that we now have better data to explain how our system was before, and we have good data to continue to improve the system, to reduce the confinement of low and medium risk youth.

Judge William Voy: This is Judge Voy. Can I make an observation?

Judge Egan Walker: Please. Please.

Judge William Voy: The two areas, one, we all -- what I'd like -- what I think the subcommittees look at is, and maybe potential legislative changes, using the YLS for JSO type cases. This -- it was never designed for that, yet is not, in my opinion, effective as a tool for us to make a decision on when we're talking about JSO offenders. That's the first observation. Second observation is where the YLS, and it may be if you've dived down into those lower-risk ones that ended up being committed, take a look at are some of those cases negotiated cases where the kid was facing certification, where the case was resolved by stipulation amongst the lawyers for a commitment to justify withdrawing the request for certification, for example and -- because I've had -- personally had several of them this year where that was the case, and when we ran the YLS, after we -- you know, the case was basically negotiated, they -- I remember at least one off the top of my head, it was a low-risk, but that being said, the other alternative was potentially in the adult system. So, I mean, I'd be interested to see if any of those low risk that made it through were some of those also. In addition, there have been some -- until recently we've changed it, but there were some also that may be in that number when we spoke about the YLS not being done until after commitment. I personally did some conditional commitment orders to get the ball -- to get the ball rolling with the state, to get the kid -- to lessen the kid's length of stay in detention, made a conditional order, passed it a week to get the YLS done because that had done -- been previously, and then once the YLS result was presented to the

court, then we would make the order unconditional. So if any of those kind of orders were counted in that number, I'm just letting y'all -- whoever's, you know, following those numbers, you might see a few of those that have popped through like that that we've done more recently, but you should see a lot less than that obviously moving forward now that we've got things institutionalized and we've got a new team in Clark County that's doing the assessments and getting things prepared ahead of time, but so those are a couple of the things that I'm just throwing out there that the subcommittee maybe to think about looking at.

Judge Egan Walker: Really good. Really good comments and dialogue, folks. Other comments, questions, or concerns? So, Brigid, I think your answer was particularly adroit as always. I too never believed necessarily because of the mismatch between dispositional charge and the underlying facts and circumstances of each child's case that CSG had an accurate worldview of Nevada. One interesting thing to me is the overrides and it's particularly interesting because if memory serves, there was some -- quite a bit of pushback from CSG about our desire in Nevada have the ability to override. In other words, there was, for lack of a better way of describing it, sort of a distrust that somehow we or people in the system would use the override inappropriately and I think I see -- I think I agree that I see a healthy rate of override and that I trust all of the actors in the system when they use the override to be using it to meet the needs of the child and not be punitive to the child, which was in particular CSG's concern, that, you know, we would just override kids because they made us mad for lack of a better term. Other comments?

Frank Cervantes: Regarding the override, remember Dr. Vincent, University of Massachusetts, even indicated that there was a target eight percent of overrides for the YLS instrument and then, you know, before the YLS, when we were looking at the Ohio instruments from La Tessa (phonetic), the override rate was even a little bit higher than that. So there is a built-in ceiling for override rates because I think they recognized the need for them in a system where the mechanics don't always work perfectly.

Judge Egan Walker: Thank you for that reminder, Frank. Other comments, questions, recollections, or reflections? Great, great data, really. It's very interesting to see the nuance we're beginning to develop with this data. I think you had another presentation, Ms. Bittleston?

Leslie Bittleston: Yes. Two more. We have SB107 and use-of-force data for the facilities, and that will be done by Ms. Kayla Landes.

Kayla Landes: Okay. Hi, everybody. It's Kayla Landes for the record. I've included the institution-room confinement as well as detention room-confinement. It will be from January to August of 2020. I've also included this time around a document that I collect the hours for the monthly room confinement from each of the detention facilities and each one will show on there how many youth were in room confinement by the hours. So I wanted to include that just so that you could have that information and see how that's collected and kind of how the graphs work on that, and I of course have lost my -- so if there's any questions on that. At the last meeting, a question was brought up on whether or not COVID numbers or the way the facility's practices are being ran are a factor in the lower numbers of room confinements, and I did get responses back, and COVID does play a factor in it just due to the lower populations of youth as was discussed earlier in the meeting with court orders and home restriction and electronic monitoring, but a lot is -- a lot of the institutions are and facilities are doing practice changes. So that's helping where they're not going to room confinement right off the bat, they're using other avenues. So hopefully that helps a little bit too for room confinement. And then we have use of force, which I don't believe has been presented before. So we, and this is just strictly for the institution, so for Caliente, NYTC, and Summit View and I -- the first graph is for fiscal year '20, and then I've also included just the first -- July and August of fiscal year 2021 to show you basically the average population for the institute monthlies for the institutions, as well

as the type of use of force by breakdown: physical restraints, mechanical, or OC, and just so you know, Caliente is the only state facility that does not use OC spray. So if you have any questions?

Judge Egan Walker: Questions for Ms. Landes?

Kayla Landes: Thank you.

Judge Egan Walker: Thank you, Kayla, for your presentation. As to room confinement, Jack and/or Frank, I noticed we had a meeting where in -- January, where we sort of called out collectively, not anybody in particular, but we called out collectively concerns about the use of room confinement and I see rather dramatic drops in both and Jan Evans and Teurman -- I'm sorry, in Clark County. Particular practice changes, population changes. I know the populations of both facilities have dropped precipitously and so that in and of itself changes room confinement, but thoughts, comments, Frank or Jack?

Frank Cervantes: This is Frank, Your Honor. A couple of things going on. You know, you'll see -- you'll see those shifts in the months as the graphs indicate, but since the outset of COVID, there's been a lot of dynamics within detention on populations. Initially, our population was cut in half, but since that time, it went up about a third and so it's not down to the level it was say in March, April and May, and so we've had some fluctuations. And to the answer of an earlier question you had is how do you measure, you know, mental-health issues in the community? One of the things that we have definitely seen in detention is a significant increase in one-on-one supervision, one staff per one kid, who have been discharged from local adolescent psychiatric hospitals and so we've had a lot of acute psychiatry in the detention center, and I'm not suggesting that's corrected rule restriction. I'm giving you just some examples of some of the things that have shifted. As our population went down, the composition of the remaining population stayed very intensive. So we would have a handful of kids requiring a lot of supervision, both using internal, you know, mechanisms such as corrective rule restriction and behavior mod and incentives, in addition to just the kind of fluctuations in population. So that's a partial explanation for it. And for me, I would drill -- I'd like to drill down with our detention folks just to make sure there wasn't something else, but I think that explains part of it. We had -- we've had a lot of different things occurring in detention that we had prior to the outset of COVID. Even though they've probably always been there, they have definitely been highlighted and are expressing themselves in some more intensity than we sure have seen in a while.

Judge Egan Walker: Jack, did you want to weigh in?

Jack Martin: Yeah, I don't disagree with anything Chief Cervantes said, but I also would add that you know, milieu -- the milieu changes, we've got more staff now, we've ramped back -- and having ramped back some of our other programming, we've got more staff, so we have more time to do, you know, individual interventions. So I think there's a couple of dynamics there that, you know, outside of that, plus with just a matter of, you know, using the data to have discussions with supervisors and seeking alternatives, I think there's a lot of positive things that sharing data and doing that too so, yeah, nothing earth shattering, I think a matter of just being more focused on what it should be versus what it is.

Judge Egan Walker: Understood. I really appreciate your comments. Judge Voy, what are your thoughts about the use-of-force breakdowns? So the reporting we're seeing from the state facilities, I know that's been an area of particular concern for you. I don't know if we lost him and I just didn't notice --

Judge William Voy: I'm here. I'm sorry. I just trying to unmute. I'm sorry. This is Judge Voy. I would -- the question that came to my mind was okay, Caliente doesn't use OC spray, so what about the other two institutions? Why do they use it and why does Caliente not use it?

Judge Egan Walker: Ross?

Judge William Voy: For example?

Judge Egan Walker: Ross, I don't know if you want to speak to that or not?

Ross Armstrong: You know, I can try to develop an answer. You know, the state traditionally did not have OC spray. When Summit View was reopened under state operation, the directive from the legislature was to make it a little bit harder than it had been before. They required us to hire corrections officers, not just our traditional group supervisor staff, and so we evaluated it and determined to allow the OC spray at Summit View, and then, you know, it was expanded to Elko. I wasn't around when it expanded to Elko, but it expanded Elko. Caliente has no interest in it. We continue to monitor it. We put in a process where if the facility wants to continue to use it, they have to get an annual certification from the deputy and show no signs of abusing it. I -- you know, I would prefer not to as there are larger discussions about whether we're going to be, you know, taking more youth on that deeper end at DCFS versus then going to a department of corrections -- you know, department of corrections facility. You know, I think it's something to consider still for Summit View, so that's kind of the -- the history of how we got to going from zero facilities to two and that I don't anticipate going to three. We could always ratchet it back down if necessary. You know, I think that's a worthy conversation that we have internally regularly, so that's -- I mean, that's kind of the history of the OC I would say on the confinement. Just some good news in the data on the confinement, if you take a look at the raw-data report, there's very few that are going, you know, more than 24 hours. So, you know, the incidents, to me that's always an interesting number, but for me, it's really, like, kind of that equation of incidents and length of time. You know, I'd rather have 100 30-minute instances of isolation than 10 72-hour incidents of it. So those would just be my comments on the -- on the confinement numbers and the OC so.

Judge Egan Walker: Thank you, Ross. Go ahead, Bill.

Judge William Voy: I'm sorry. Yeah, it's Judge Voy again. Okay, that's all well and good but, you know -- and I know, Ross, we've talked about this before, you and I separately but, I mean, we're -- we've been -- why are we allowing institutions to use that crutch so to speak, especially given the small, small population numbers now in the three state institutions? Why are we even allowing them to use that crutch of the OC spray when historically we never used it before and when best practices and the movement across the country's to get rid of it? And again, that still perplexes me as to why it got started in the first place, and second of all, why are we still holding onto it and what we're doing maybe -- or not doing to try and discourage it, or put other training and other mechanisms in place as a substitute of the OC spray. That's -- you know what I'm saying? Caliente doesn't use it, but Elko does. What's the difference? I mean, to me, it doesn't make -- it shouldn't make a difference. So those are still my unanswered questions that I'm throwing out there for the record. Thank you so much for letting me speak my mind.

Judge Egan Walker: Sure.

Ross Armstrong: Yeah. This is Commissioner Armstrong, and thank you, Judge. I do know that the National Association of JJ Administrators is currently embarking down the path of coming up with some national standards in terms of use of force. Deputy Miller is taking a look at our current -- what is our current framework for a use of force. You know, the feedback we get from staff is that having the OC spray has -- you know, is a reduction. We see reduction in injuries to youth and staff during a physical takedown.

I don't know if the data has played that out, but I'll certainly look into it in response to those comments and, you know, are always happy to talk about it on a one-on-one basis or in a meeting.

Judge Egan Walker: Still, the mechanisms of use of force is a topic that's timely and appropriate, an observation, Ross, that I would offer in many ways I think echoing what Judge Voy said is if you look at the NYTC use-of-force breakdown, first, there are two incidents of OC spray, which if we're going to use OC spray, I suppose is a good thing. And if you look at the incident that occurred in the fourth from the last month, the gray scales for physical restraint and mechanical restraint are both elevated and then there's a use of force through OC, and one wonders if that wasn't the same kid, right? If that wasn't the same kid, and to Judge Voy's point, you know, if we have tools in our toolbox, we tend to use them. Should -- is this a tool we should have in our toolbox and does it become -- you know, do we escalate to it? I'm not -- I don't mean that to be a rhetorical question, but it's of course a legitimate question and that -- those peaks in the graphs show at Summit View as well, where there were six, eight, nine uses of OC spray and seemingly where there were also peaks in physical and/or mechanical restraint. So it'd be very interesting to drill down in the numbers and know if the kids got pepper sprayed who were also getting physically or mechanically restrained in addition to the OC spray. And then I would ask, Leslie, let's just come back to kind of a continuing agenda item about what is the spectrum of use of force we intend to apply to our children in Nevada. So Judge Voy precipitated the conversation several years now ago, it was probably six years ago when we had an understandable conflagration about what got described as hogtying of children and I think we all agreed that cannot and should not happen in Nevada. I think it's a legitimate question to say are we going to have as one of the tools in the toolbox OC spray. Other comments, questions, or concerns?

Frank Cervantes: This is Frank. Yeah, sure. I would say this: before we -- before we look to eliminate or change a practice and do these things, I would first ask the question if it's a problem, if it's being abused. So I'd look to the data to find that out just like you're suggesting. It could very well be that the OC spray in Summit View and Elko have prevented much more dangerous kind of physical restraints and when we talk about use of force, this is always how the conversation tends to go. It's, like, let's just eliminate a box of our use -- out of the toolbox, we'll eliminate one of the tools and therefore we're a safer agency. That may not always be necessarily true and until you can prove that it is, I don't know that I would move down the path to eliminate something unless I could demonstrate that it was in fact an issue and was being abused. And so I just put that out there because it could be that if you eliminate that, you may find somebody gets hurt in a takedown. I mean, those are all things. Use of force is an area that nobody really likes to talk about because it's uncomfortable, but I think the idea of when you're running an institution or a detention center, that if you have tools available and you're not abusing them, we have OC here in Washoe County. We never use it, but we can, and so if it was something that was being used out of the use-of-force continuum, it wasn't in the correct level or it was abusive, I would definitely be going wow, what's going on here. But as we go down the path, I'm just suggesting look at it in totality, not as just one instrument.

Judge Egan Walker: Yeah. Unquestionably true. Great comments, Frank, and I do think there is going -- there are going to be no doubt differences of opinion. Let me not topic hop, but in the use-of-force continuum conversation in Nevada is always the use of restraint chairs. There are restraint chairs in at least two of the jurisdictions that I'm aware of and no doubt more and to Frank's point and Judge Voy's point, we need to just have an in-the-daylight conversation about what are the tools in our toolbox and a conscious decision about what those tools are. Other comments?

Leslie Bittleston: And, Judge, this is Leslie for the record. I'm just writing this down. Do you want this presented at the next December JJOC, and do you want this for both state and county?

Judge Egan Walker: Well, the -- I'm confused by your question and it's my fault, not yours, Leslie.

Leslie Bittleston: Okay.

Judge Egan Walker: This would be just an agenda item to discuss it.

Leslie Bittleston: Okay. So I guess I'm just asking if you would like me to present what the continuums are that the state and the county are using.

Judge Egan Walker: Yes.

Leslie Bittleston: Okay.

Judge Egan Walker: I'd like you to provide us a reflection back to the administrative code that Ross wrote six years ago in response to the concerns raised about hogtying.

Leslie Bittleston: Okay. And you want that at the December meeting?

Judge Egan Walker: Please.

Leslie Bittleston: Okay. Thank you for the clarification.

Judge Egan Walker: So other comments, questions, or concerns about the use-of-force reporting? Great. Again, Leslie, great, great data. What a pleasure it is to be able to have the conversation with some data that we can trust about what is going on so thank you for that.

Leslie Bittleston: You're welcome.

Judge Egan Walker: Any other comments, questions, or concerns? The next agenda item then is committee updates. I'd go first to Ms. Duffy and the data performance committee. Ms. Duffy?

Brigid Duffy: Good afternoon, everyone, Brigid Duffy for the record. We have had two meetings since our last full commission meeting and my report is part of the meeting documentation. We had a meeting on August 25th and on August -- or October 6th. For those of you that recall it, our committee -- our full commission meeting in July, there was some discussion about a data dictionary that occurred after the -- out of the Supreme Court Juvenile Justice Commission. The conversation at the full commission meeting back in July was able to rally the support of getting some probation department representation onto my subcommittee, which was really important. So I had Scott Schick and Commissioner Salla join us from -- onto the subcommittee and it completely changed the conversation and it was very helpful. Although I know I was, like, frustrated back in July because of all the work the subcommittee had been doing, it was a really big piece to the puzzle that was missing. When you have prosecutors and public defenders and administrators kind of making these decisions of how agencies are going to report their data, there's a big part missing. And it was even more helpful that they were rural representation because we were the two bigger jurisdictions. So I really do appreciate the two coming on board and having some really great meetings with us. So what I want the commission to focus on, you have -- in the documents are points-in-time definitions. So one of the -- one of the things that was brought to the committee -- subcommittee's attention was that we had a problem with consistency across the state and what everybody was defining different terms as being. So we as a subcommittee created a list and our recommendations that we want ultimately the full commission to vote on. If the commission isn't prepared to vote on it today, we can just talk about it and bring it back on the next agenda after you all digest it take it to NAJJA, do whatever y'all

want to do with it. That's also fine, but as a subcommittee, we're ready to make our recommendations. So one of the -- if you pull up the document Points in Time, what we did was just looking at the term arrest, there are federal definitions of an arrest and there's a local state definition of arrest. We are making the recommendation that when we ask the jurisdictions to report arrest data, that we are using our local definition and not the federal definition. Same with adjudications. We're asking that we're using -- that everybody is consistent when we are asking for data to use the NRS. You'll see as you go through the document most of our recommendations are please use the state definition and not the federal definition. So then we have disposition. Our recommendation is to break that into two different definitions: a disposition of a referral, which would be -- you know, it could be diversion, it could be closed, or it could be a filing of a petition; and then ultimately the disposition of a petition, so probation, placement, state commitment; and you'll see there, right underneath that, is the definition of a disposition of a referral. So everybody has what those -- we recommend that would be. A disposition of a petition, again, we're looking at the NAC, also a definition of diversion. So everybody's using the same definition of diversion statewide. That is our -- you can see our recommendation in that third column on the chart. The definition of petition, you know what I think I have the -- I have my own notes, but you did add that in, right, Leslie, the 62C?

Leslie Bittleston: I did, yes.

Brigid Duffy: Okay. And then the definition of a referral, which I'm going to come back to in a moment. We already defined recidivism and voted on that per this commission, and then the definition of waiver to a criminal court, which is defined in NRS, and we'd like the commission to use that -- or the statewide agencies to use that. So then as to referral, we had -- we are making a recommendation that we use the DMC definition of referral, but excluding traffic cause we don't really care about traffic. And then ultimately we would like to add the definition of referral to the NAC, and I think we are not too late to do that. The NAC is being updated on definitions and other information and so we can definitely get the definition of referral into the NAC if everybody would agree to that. And then the final thing we worked on and I'm telling you, these were two really long, involved meetings, is our DMC report, which you should also have in the meeting materials. Which one is that under? Leslie, what's that -- I see the points in time on my list. Did you put -- did I lose Leslie? I must have lost her. So there should be a DMC report in here as well, but I don't see it.

Judge Egan Walker: Yeah, it wasn't -- it isn't in the packet.

Brigid Duffy: It's not in the packet? Okay. Well we can -- we can bring that back. Cause we went through that as well. The DMC report includes some of the performance measures that this commission voted on in addition to the already established DMC data that was being collected, so we had a very involved conversation around the definitions within those performance measures that we're collecting and which ones we need. So for our future meetings, for the data commission or the data subcommittee, we really need to -- we need to prioritize the data collection. So one of the things that was very exciting for myself and I know Ms. Verness was kind of, like, all the possibilities of the data that we could collect and a lot of promises that were made by our case-management system, Tyler Supervisions, of all these great things we'd be able to collect, which I'm not quite sure are actually coming to reality now. So we went really big. Like, we were like let's get everything we could possibly collect to help us ultimately decide whether or not our system was working. Are kids coming into our system and leaving better? So we created a lot of performance measures that this commission voted on, but in reality, are we really going to be able to capture all of those things? Probably not right now. So the next steps I'm going to lead the subcommittee down is let's really prioritize the big ones that we really want. It was great today to see some of that sex-offender data, I love seeing the YLS data, our use-of-force and room confinement data. Like, we already are starting to see it as you had said, Judge Walker, coming together. I think there's a lot more coming together

we're going to get as we move forward the performance measures, but we need to prioritize them because I know we are overloading DCFS and Tyler Supervisions by saying we want all of this data. So my committee is going to look at really what are our -- what are our big wants for the next couple years for data collection, and also we have to conclude the creation of the family survey. So that'll be work that we're still commencing. So ultimately the recommendation of the subcommittee is to add the DMC, the federal definition of referral that excludes traffic into the NAC in order to have consistent definition statewide, that this commission look at our points-in-time definitions and follow our recommendations of when to just make sure that we are following our state definitions when collecting statewide data, and then ultimately, which I'll have to bring back on the next agenda because I don't see that it was included in the materials, is to review and discuss and vote on the newest version of our county judicial district DMC yearly report and performance report, which will be state fiscal October 1, 2020 to September of 2021. And I don't have that here.

Leslie Bittleston: Right. And, Brigid, this is --

Brigid Duffy: Oh, are you back?

Leslie Bittleston: Yes, I'm sorry. I took a bathroom break.

Brigid Duffy: In the middle of my report?

Leslie Bittleston: Yes. Too much water.

Brigid Duffy: I needed you. All right. Go ahead.

Leslie Bittleston: I'm sorry. I just want to let the group know that we are working through the DMC template and should have it in December.

Brigid Duffy: All right.

Leslie Bittleston: So we still have a couple of tweaks to make, and I probably missed your question. So what was your question?

Brigid Duffy: I was looking for that in the material.

Leslie Bittleston: Oh.

Brigid Duffy: See, I had it separate, so I didn't even -- I wasn't even looking at my own materials for this meeting.

Leslie Bittleston: Yes. So we are making some tweaks and it will be ready in December for the JJOC to review.

Brigid Duffy: All right. And I just needed some validation that we would still be able to get a definition of referral into the NAC, that we've met that deadline, if this commission would want to move forward with that.

Leslie Bittleston: Yes. And I can address that now or in another -- there's a further agenda item which talks about the NACs. So should I --

Judge Egan Walker: Okay. Go ahead and address it now, Leslie.

Leslie Bittleston: Okay. So NAC 62B and 62H are currently with LCB for drafting, and the process has been incredibly slow due to COVID because they have pretty strict review criteria within the LCB so it's taking longer than expected, but I did get confirmation that if we do want to add a definition of referral or diversion, that they would make sure that it was included in the -- not the final, but the draft that comes to DCFS. Once we get those drafts, we have to hold one additional public workshop and then to LCB for the next steps. So but I did get that confirmation that they would add those.

Brigid Duffy: So perhaps -- so then I would make my recommendation that if the commissioners could look at the points-in-time definition sheet that we provided, if you look on the last page of that under the definition of referral, in the third column coming from our Supreme Court Data Dictionary, page 23, for those of you that have a copy of that laying around which is also the DMC definition, the federal definition and excluding traffic that we -- so the week -- we don't miss any deadlines with the LCB, that this commission would approve defining referral as listed in column 3, and we all vote on that today so we can move forward.

Judge Egan Walker: So Brigid and Gianna and then I think Pauline participated and Scott did as well. You know, thank you is heartfelt and well-meant, I assure you, but it doesn't really cover the task. So when I saw this points-in-time sheet, I recognize for whatever that's worth, Brigid, how much work this is, and you guys did something under disposition that for me -- I was a part of the Supreme Court Commission when Scott tried to put together the data dictionary there, which was a giant amount of work, but when you suggest to break up disposition into two definitions, disposition of referral and disposition of petition, to my eye, that's remarkable because it skins a cat that's bedeviled us for ages, and I just want to commend the quality of the work I see. I was really impressed and happy when I saw this points-in-time definition matrix. I was impressed by the two of you. I'm always impressed by the two of you and Scott and Pauline, but this is just a giant amount of work and thank you, Brigid and Gianna. I really appreciate it.

Brigid Duffy: It's been a -- it's definitely been a journey and I'm telling you, when -- if I -- if I -- I really do appreciate the rural representation. It made such a difference. And not only that, they were two people that had a really good historical view that I was missing and I don't know. This has definitely been a challenge because data is not my area, but it's been very exciting to do it and I've learned a lot, and we had a lot of laughs along the way because there are some things that I was like they do what now, like, in the rurals? Like, what? That happens? Private citizens? Like, it was fun. It was fun. So, yeah, and it can't go without thanking the DCFS staff because this is all them. Like, I definitely didn't put these charts together. This is them.

Judge Egan Walker: Well, it's a bellwether moment. It's really important. So let me tee up the conversation if I could, folks, in two ways. I'm going to make two motions. First is a motion that the commission support the definition of the term referral as described in the Supreme Court Data Dictionary at page 23, listed in the last page of the points-in-time definition for this project. So that's one motion. Then I move to adopt the definitions, the points-in-time definitions, proposed by the data subcommittee. So those are two motions, and I'm going to look for two seconds if you all are comfortable. First, is there any second to my motion as to the NAC definition of referral?

Pauline Salla-Smith: This is Commissioner --

Rebekah Graham: Rebekah Graham. Go ahead, Commissioner Pauline. (Inaudible.)

Pauline Salla-Smith: No, no. That's -- go ahead. Go ahead.

Rebekah Graham: I'm sorry. This is Commissioner Rebekah Graham. I second the motion on the redefinition of referral. I've read it and I agree.

Judge Egan Walker: Thank you. And as to my motion to adopt the points-in-time definitions, is there a second?

Pauline Salla-Smith: Commissioner Salla-Smith, I'll second it.

Judge Egan Walker: All right. So we have a motion and a second. Now I want to open it to conversation. Questions, comments, concerns about either of those motions of the topic, please?

Eve Hanan: Hi, this is Eve Hanan. First of all, it's amazing work. It's obvious how much work this was. I wanted to just make sure I understood the first one, the arrest one, to make sure that it's as clear as it needs to be for data gathering. So I know the Nevada statute, does it change the content of what's in the federal definition there in your mind? Like, I guess what I'm saying is is it still clear to count arrests as an -- even a period of time, like, in the back of a police car, would be an arrest under the statute even though it says taken into custody, that idea of custody is the totality of the circumstances? So I didn't know if there was any issue around making sure it's clear just so we get, you know, the same standard of data collection in all locations. But everything else looks -- I mean, it's so clear and so well-done, and I just worried a little bit about arrest, whether or not that would still be interpreted differently.

Pauline Salla-Smith: This is Commissioner Salla. I think that just to -- for clarification, with the federal definition with our DMC report of arrest, they were always very clear that detained in a police car is different than arrested or, you know, in custody. And so if it's one of our kids in Humboldt County that was detained in a police car but then released, I wouldn't even get that information. Even in a police report, if I might not get that information. So I think that if we're -- if we're still basing it with our federal definition of arrest and in custody, it's the kids that are coming to our facilities and being booked in. That's at least my interpretation and how I've looked at it.

Brigid Duffy: Right. And this is Commissioner Duffy and this -- and that's really the point was we -- we're never going to be able to know what officers are doing in the streets for the purposes of our data collection. This is for the purpose of the juvenile justice agency, the arrest. So the -- our conversation was kind of -- the federal definition is really too broad for us. We really have to narrow it down to just being in our -- into custody, brought in and into the system.

Ross Armstrong: And this is Commissioner Armstrong. Cause I -- you know, I recall the conversation in the committee and that's why -- one of the reasons we went with 171 language because the feds have had to do a lot of cleaning up, like, oh, no, we know what that reads because if -- when I read the language, I say yeah, if you're, you know, held, even if you're not in the back of a car, you're held to the scene of a crime, you have to count that somehow. And they've clarified that's not what that federal definition means, but we wanted to go with the clearest language to make it helpful for the folks in the field.

Eve Hanan: Yeah. Thank you. This is Eve Hanan again. Yeah, that makes sense. I guess I, you know, like, looked -- I'm like well, I know that the statute says that, but then underneath it, we know that the arrest under the statute does include all those other circumstances. So I just wanted to make sure that the language was clear enough, but it sounds like there's a consensus, that everyone knows that it means an

actual arrest. Like, is -- I mean, an actual arrest could be being detained for a period of time at the scene, but that an actual taken to be booked I guess you would say, right, it would be or taken in to be processed.

Judge Egan Walker: I think, Professor Hanan, your question also illustrates the challenge always of the data dictionaries.

Eve Hanan: Yeah.

Judge Egan Walker: Is the lens through which we're looking at the definitions, federal versus state versus local, to Brigid's point about having the rural jurisdictions in the conversation. I don't know if they answered your question to your satisfaction though, Professor Hanan. Did you want to follow up further?

Eve Hanan: Well, I just wondered if it would make sense to say -- to limit it to when somebody -- when a youth has been actually taken in to be processed, but if it's not necessary because it's understood the same way in all jurisdictions, that's fine. It was just because the statute does include the idea of brief custodial situations that don't result in somebody being taken to be booked. I didn't want to reference to the statute to then at some point lead to the same sort of vagueness or confusion that Commissioner Armstrong talked about in the federal definition. I don't know. Does that make sense? Perhaps I'm not saying it very clearly either.

Judge Egan Walker: No. I think -- to reflect, Professor, what I hear you saying is what about those circumstances where the cops put the habeas gravis on somebody, but it doesn't result in a booking for lack of a better term or an administrative in-processing to a detention center and the juvenile system, because we know what happens, and I suppose there's still a possibility in our world that an officer could literally put hands on a child and say you're in custody but then not actually take them to the detention center. I mean, take them home, give them to mom or dad, which does on occasion happen more rarely now than in the past. I would suggest though that we not gerrymander the definition for the exceptions is how I would describe it. To your point, we may undercount a bit.

Eve Hanan: Right. I guess my point was more just -- yes, thank you. So that clarifies it. So I guess I just wanted to make sure that everybody was reporting their data the same way. So if we all know that when an officer grabbed a kid and took them home, that that isn't included in this definition of arrest, even though under the statute, you know, a court might say that was an arrest. That's not what we mean for the purposes of our data by arrest.

Judge Egan Walker: Brigid, are we on the same sheet of music?

Brigid Duffy: Yes, I -- this is exactly the conversations and the debates that we were all having and trying to just -- since the term is used, use it with a term that defined either through state or feds and we chose to use the state, and under -- with an understanding of when we run data reports, we're not going to be able to collect the ones where the law-enforcement officers are taking them home or arresting and releasing in the field.

Judge Egan Walker: All right. Other questions, comments, or concerns?

Frank Cervantes: Commissioner Cervantes for the record. I do have a question for Leslie on the referral definition.

Leslie Bittleston: Yes?

Frank Cervantes: You know, I read it on the matrix here. It talks about a court referral as the result. So when we send information to you on referrals that include citations, Leslie --

Leslie Bittleston: Mm-hmm.

Frank Cervantes: -- does that change anything for you?

Leslie Bittleston: No, it doesn't.

Frank Cervantes: Okay.

Leslie Bittleston: And as we -- as this committee works through its points in time, that's why we will be making -- or we will be making some tweaks, minor tweaks, to the DMC template for next year based on some of these clarifications. So, but yes, that doesn't change citations or those. Yeah.

Frank Cervantes: Yup. Okay. So they're not excluded. When I read it, it looks like they're excluded cause I don't see them on this document. Okay.

Pauline Salla-Smith: So this is Commissioner Salla. We had so much discussion about this. Commissioner Duffy is right. But I think when we were looking at that, Commissioner Cervantes, when it says received by a juvenile justice agency, that statement right there is where our citations come from. So our referrals are captured by anything that comes into our office, excluding traffic citations, but other citations are received by the juvenile justice agency, and that is how we capture it on our DMC report too.

Frank Cervantes: Thank you for your clarification as usual, President Salla.

Pauline Salla-Smith: Oh, Commissioner Cervantes.

Judge Egan Walker: Other questions, comments, or concerns? I hear none. Then I'll call for the vote on the first motion I made, which was to resolve the suggestion for the changes to language to comport with the NAC so that we can amend the NAC. All in favor, please indicate by saying aye. Aye.

Ayes around

Judge Egan Walker: Any opposed? Any abstentions? That motion carries. And then as to the second motion related to the adoption of the points-in-time definitions proposed by the data and performance committee problematic. I will -- I will author -- Joey and I will co-author, there we go, on my letterhead a formal request for follow-up on the data and I'll CC the entire commission.

Frank Cervantes: Great.

Judge Egan Walker: Thank you for following up on that, Brigid.

Brigid Duffy: All right. Thank you. That's my report. Thank you, subcommittee.

Judge Egan Walker: Great report. Any other questions or comments for the data performance committee?

Pauline Salla-Smith: Chairman Walker?

Judge Egan Walker: Yes, ma'am.

Pauline Salla-Smith: This is Commissioner Salla. I just wanted to thank Commissioner Duffy and the committee because we did come in the game late, I apologize for that, but they were really -- they just really just supported us in our discussion and I worry that sometimes they think the rurals are like still the wild, wild west, but we're trying to, like, you know, come up to modern times too. So I just wanted to thank everyone on that committee.

Judge Egan Walker: Well, I suppose, Pauline, the only appropriate response is I'm so thankful for the rurals and not just because of pecans. Any other questions for the data and performance sub-committee? All right, then we'll move next to the SAG advisory group. Ms. Salla-Smith?

Pauline Salla-Smith: Thank you. So our SAG meeting -- our SAG committee met August 20th. We had quorum. We had actually a pretty long meeting. Our October 1st meeting we had scheduled was canceled and rescheduled because we had PREA investigator training statewide going on at the same time that some of us were participating in. So we did end up rescheduling it. We're going to be meeting next week for that meeting. We reviewed all the data that was presented to the commission today that goes through our SAG committee. In addition to that, we've been working with our YLS and case plan discussion regarding Tyler Supervision. We're also reviewing the DMC report with the new state requirements, which really blends into the data subcommittee. One of the reasons that we're doing that is because the DMC is a federal -- the DMC report is a federal requirement, which falls under the SAG. So it's really helpful that I participate on both of those committees because that way we can just keep each other updated. We also are reviewing the new required data elements that the -- Commissioner Duffy spoke about too and then new ones that are coming through our OJJDP formula grant since that falls under the SAG too. Our goal is to really streamline all the new data requirements that are coming in because I think currently we're reporting on different reports, and so sometimes it feels, at least for my jurisdiction, that we're reporting the same information multiple times. So we really want to streamline that to make sure the state has the data that they need, but that the jurisdictions aren't getting added I guess activities or reports when we're reporting it somewhere else. We're almost done gathering the information from each jurisdiction as to which mental-health screening tool that they're going to be using so that'll be coming back to the full commission and to Administrator Armstrong in a form of a memo. I will say that that everyone has picked a validated and reliable screening assessment tool, so that's good news, and we'll be bringing that to the December meeting just to make sure that we're all staying true to AB472 in the statute. Other than that, that's the work that the SAG committee has been doing and I'm not sure if I can just add this just to keep everyone updated. Chairman Walker, if you want me to save it for public comment, although I might be losing service here shortly, if I can discuss the letter to Tyler Supervision, when -- can I update everybody now or do you want me to save that?

Judge Egan Walker: Do it now, please, Pauline.

Pauline Salla-Smith: Thank you. So we'll break off from the SAG a little bit, but NAJJA's (inaudible) and as everyone is aware, it's already been brought to the commission's attention, there has been some with what we can get out of Tyler Supervision currently and what we want out of Tyler Supervision currently (inaudible) especially be coming through to all the jurisdictions. NAJJA agreed to compose a letter to Tyler Supervision broken down by jurisdictions as to what concerns we had, which included, like, response times and resolution to tickets that had been submitted. Some jurisdictions, DMC, report working, some jurisdictions not. We've had a lot of issues and frustrations with the YLS scoring and producing a profile report, which just for everyone's information is not just about Tyler Supervision, it is also about MHS, who

is the agency that provides the YLS to us and scores it. So we submitted a letter. I did send that to the chairs of the commission to keep everyone in the loop. We just received a response. I did have a phone call with Tyler Supervision right when they received the letter and then they just submitted a response back to our letter, which will be reviewed during our next NAJJA meeting too but we are working through some of that. As everyone knows, I've been a champion of Tyler Supervision. I'm not willing to give up yet. I think that, that we can work through this stuff and our concerns and really get what we need out of that system. So I just wanted to update everybody where NAJJA is addressing it also and Tyler Supervision is working with us now.

Judge Egan Walker: Questions or comments about this out-of-order item I'll call it? Really it connects to the SAG committee and data reporting so I don't think it's irrelevant, but questions or comments about the letter authored from NAJJA to Tyler? I have a comment and that is this: in my opinion, Tyler owes Commissioner Cervantes, Commissioner Martin, Commissioner Salla, Commissioner Schick, Commissioner Banister, really all of the probation heads, a giant apology because I was at the meeting where I pressured Frank to follow really Jack's lead into the program that now is owned by Tyler Supervision and Tyler ended up, in my opinion, with a windfall that they have yet to repay. So I'm thankful for your letter to them, Commissioner Salla, I'm happy to call them and growl if you thought it was necessary, but I trust your sort of management of this issue. I confess frustration, but I'm going to leave it at that. Other comments, questions, or concerns? Anything else from SAG, Pauline? I don't know if we lost our connection to her or she to us. So that was a good report then from SAG. I'll just move to the racial and ethnic disparity group. Ms. Graham?

Rebekah Graham: This is Commissioner Rebekah Graham for the record. My report is printed. We did finish up the survey and we did have a lot of excellent participation and help from law enforcement. So I know Captain Blackeye, I think, is amongst the guests today and his department was very helpful in identifying this questions. Just a bit of history to rewind. As we really pulled apart the data, where we saw that disparity the most was at (inaudible), and so as we can kind of continued to dig in to that, we saw -- although it is mandated in the NRS that law enforcement have regular training around addressing minority groups, those trainings did not seem to regularly occur. So there was one a couple of years ago and now it's integrated into other trainings, those kinds of things, that it was difficult to identify that that training was really happening. So the solution we came up with as a committee, Ms. Duffy and others who were participating in that, was to really try to get better data around what training is happening and what that training covers. So we do have the survey. It is part of the documents that you will have. Our intention had been to send it out earlier and I apologize that that was -- the questions we picked and then the technology we picked did not agree so we were originally going to put it through a survey monkey and just we could not format those exact questions into that exact format, but going out via Google docs, it's all ready to go, but I thought it would be best since our full commission meeting was -- is today and we'd finalized it yesterday to allow this committee, if there's any comments or changes that they saw in that survey, to kind of speak now before we send it out. Otherwise we'll be able to present the data back when we come back.

Judge Egan Walker: So I'll do exactly as you suggest, Ms. Graham. I'm not going to call for a vote on it, but I'm going to describe it as speak now or forever hold your peace. Folks, if you have any objection to it, anybody have any comments or requested revisions?

Pauline Salla-Smith: Commissioner Walker, this is Commissioner Salla. I just have a comment.

Judge Egan Walker: Yes, ma'am.

Pauline Salla-Smith: I just love this document and thank you, thank you, thank you.

Judge Egan Walker: That's a --

Rebekah Graham: It was a big team effort. There was a lot of great participation. I think Captain Young and Captain Blackeye are heading out, but it was really, like, Ms. Duffy got the law enforcement in the door, and Jennifer Fraser really participated, Ms. Bittleston and her team. It was a very collaborative effort to try to get a document that wasn't biased or one-sided but really included everybody's opinion.

Judge Egan Walker: So to echo what Commissioner Salla just said, Ms. Graham, I did a back handspring when I saw this because it takes a great deal of bravery, I think, to have the conversation about racial and ethnic disparity on any level, but in particular, it's timely and important at the law-enforcement level. So I echo Commissioner Salla's thanks and appreciations. Other comments, questions, or concerns? I think you have the approval you sought, Ms. Graham.

Rebekah Graham: Thank you. We'll get that out and get the results back.

Judge Egan Walker: Thank you very much. Any additional reporting you'd like to offer?

Rebekah Graham: None at this time. Thank you.

Judge Egan Walker: Thank you very much for your report. Any questions for Ms. Graham? Hearing none, we'll move next to grants and quality assurance. Ms. Bittleston?

Leslie Bittleston: Yes, this is Leslie Bittleston for Jo Lee Wicks, who is excused from this meeting. The Grants and quality assurance committee has been pretty active this year so far. They've held one meeting since the last commission meeting in August and are looking to meet again, maybe around the end of November, and I think I have a typo there. What this committee has done so far is they have reviewed all of the CPC, the Correctional Program Checklist facility improvement plans from 2019. They have also reviewed a new DCFS policy that was just implemented recently. That DCFS policy is titled Evaluation of Evidence-Based Programs. It is based on the review process of the CPC, what the reviewer and the lead of the review team is supposed to do, and how to follow up with the facility improvement planning process. The items pending for this committee is they will review all of the facility improvement plans as they come in for 2020 and they are also pending the review of the draft NAC 62B (h) revisions because this committee has been tasked with reviewing any DCFS requests for withholding a funds of the community corrections partnership block grant due to compliance issues. So this committee -- so any requests from DCFS to do that will go through this committee, but they do have to develop a process for this. Moving onto announcements, the CPC schedule for this year of course has been revised. We did have to move two earlier CPC reviews at Summit View and Caliente from May and June as -- due to the COVID pandemic. So the review team that we have in place are doing the five reviews in a short amount of time, so really thank the reviewers. So so far, Nevada Youth Training Center has received their review on August 25th and 26th. They received their draft letter on September 28th. Their overall score was a 50 percent, which is moderate adherence to evidence-based programs. This is a slight improvement from their last year score of 49.4 percent. The biggest area of weakness in the NYTC review is around quality assurance. The next facility that has received a review so far is Summit View Youth Center. They received their review at the same time that NYTC received theirs, and we do have to give big kudos to Summit View because they increased tremendously from last year's score. They received an overall score of 62.8, which is actually high adherence to evidence-based programs and they were up from a 32.1 from last year. So kudos to Summit View. The biggest area of weakness at Summit View is the same that we found at NYTC, is around

quality assurance, and I just -- I'm addressing quality assurance as one because it's the same issues for both Summit View and NYTC. The reason that these areas are weak is because there are no -- there's a lack of recidivism data, a lack of participant-satisfaction data, and a lack of internal-external quality-assurance data. Lastly these two facilities lack clinical oversight in programs and what that means specifically is clinical supervisors should be reviewing programs as they are being done. So they should be reviewing groups and sessions, not just, you know, assessments and screenings like that. So they need to take that quality assurance to the next level and sit in on these in-person programming. This week, Spring Mountain received their review and then China Spring and Aurora Pine will be reviewed October 26th and the 28th, and Caliente will be reviewed November 16 through 18. So all reviews will be done by the end of the year. And that is the report.

Judge Egan Walker: Great. Thank you for that report and the update. Again, kudos to Summit View, as you described. Questions, comments, or concerns on the grants and quality assurance report? I hear none. Thank you, Ms. Bittleston. We'll move to the strategic planning committee report. Mr. Cervantes?

Frank Cervantes: Thank you, Your Honor. We had a scheduled meeting this week. We failed to have quorum. However, you will look in the -- your packets, you'll see that Leslie has submitted an update to the strategic plan. Thank you, Leslie. And as designated and read throughout the report, you will see the items that are completed, the items that are still in progress and need to be worked on. I will not go by them line by line, I'll just refer the reader to them. I would note however that we've talked about some of the ones that are completed and they do resolve -- or revolve around Tyler contracts, finishing up some of this access to the data reports, and the execution of some of our contracts here at our shop with Tyler so few items around that. In general, though, the strategic planning has completely completed through the years that it's supposed to be so we're on target with a majority of the strategic plan. I do remember, Mr. Chair, that we talked about at the last meeting that we had the special-set meeting around COVID and how that has interplayed with our strategic plan going forward. So we are sensitive to that as we work on this plan, and I know that the COVID information updates are being provided throughout the year in between our actual meetings. So I submit that report as it is, and I'm available for questions should you have any.

Judge Egan Walker: Thank you very much for that report, Commissioner Cervantes. Questions or comments for the strategic plan committee or Mr. Cervantes? So Frank, I have a comment in this way. I don't know that I've ever shared with all of you exactly how proud I am of all of you, but I was very worried when you took this -- took a look at the strategic plan that we were going to be pretty far off course, Frank. So when I saw this report and realized while there's always areas we could improve in, that we're still very much on course, I was just gratified and I continue to be gratified by the work that all of you all do to protect the children and families in our state. And I see the healthy status of the strategic plan as a reflection of all the work all of you do. So thank you, Frank.

Frank Cervantes: You're welcome, Your Honor, and thank everybody that contributes to the success of that plan because it's the other committees and subcommittees that actually fulfill the obligations of the product.

Judge Egan Walker: Indeed. Any other questions or comments related to the strategic plan? Ross had to leave so, Leslie, I'm going to put you on the spot. The next agenda item is legislative items. Ross has been able to attend, and I suspect you have as well, Leslie, many more of the child-welfare subcommittee meetings than I have. What's the status of certification, direct files, and placement? I know Judge Voy and I gave them some feedback, but what's the status?

Leslie Bittleston: This is Leslie for the record. Unfortunately I did not attend the last meeting, so I cannot update on that. I don't know if Katheryn is present or if somebody else was there, but I apologize, Judge, I was not.

Judge Egan Walker: Judge Voy, were you there or do you -- do you know, Jack, what the status of the child welfare subcommittee is, or even Brigid?

Judge William Voy: Yeah, I wasn't there. This is Judge Voy for the record.

Judge Egan Walker: Yeah, I couldn't make it either. Brigid, did you make it?

Brigid Duffy: I listened in. I listened in. It was -- I didn't even know they were having a meeting. I guess it was set, like, pretty last minute --

Judge Egan Walker: It was.

Brigid Duffy: -- and it was only because one of the legislators had contacted me to ask if I would be available for questions and I was like there's a meeting on Monday? I think I got that text on Sunday. So it was pretty rushed. There -- it was a lot of conversation and I think -- I know my local public defender's office presented about direct files and certifications. There was a presentation from -- on the child welfare side, but I think there's a work session coming up in a couple of weeks or I think next Friday, perhaps, and I expect there's going to be some recommendations around certifications and direct files, and that's kind of where the conversation is really heading.

Judge Egan Walker: Well, thank you for that, Brigid. So, Brigid, an open-ended offer: if you get a heads up and you think my voice or Bill's voice or any other voice would be useful, please let us know. This last meeting came up on no notice. Ross told me he, like you, found out about it kind of by happenstance as I understand it. He wasn't even aware of it either, and they -- they intend -- this subcommittee, in my opinion, intend to make some pretty dramatic changes, which in general is a good possibility, but we got to be able to weigh in. So please shoot me a text if you become aware as well, Brigid.

Brigid Duffy: Yeah, I was -- and it was -- it was actually a legislator from the north and I was really, like, what? There's a meeting tomorrow. Like, I had no clue. That was Sunday, last Sunday and it was on -- and I think the meeting was on Monday.

Judge Egan Walker: All right.

Frank Cervantes: Mr. Chair, I have -- I can provide some information. This is Commissioner Cervantes for the record.

Judge Egan Walker: Go ahead.

Frank Cervantes: So Ross, Jack, and myself presented briefly to the commission on some information. I'll try to summarize my impressions of what they're asking for. I've been tasked with providing some information, find data around adults 18 to 21 years of age, adults 21 to 24 years of age who are in local detention facilities and processing through the adult system. One of the questions was -- I think that they're seeking is what would it look like logistically, fiscally to raise the age of juvenile jurisdiction up to as high as 24, starting with 21. The questions became a little confusing. There were a lot of questions in one. I tried to provide -- to get some clarification, Your Honor, and so what I gathered was -- is -- our task was to

try to break down those demographics in the system if they were to land in the juvenile court and in juvenile detention centers. I will further tell you that it also is similar to our work that we conducted on the Supreme Court subcommittee on regionalization in moving some of those youthful offenders out of the Lovelock Department of Corrections into a co-location facility with similar kids. That is a big project all pushed into one. They're asking a lot of different parts of it. I'm trying to put together something that, you know, really delineates some of that stuff for the legislature so they can see it in more of a broken-down kind of presentation. So that's really what I think it's going after is who do we certify to adult status, if those youth are certified, where do they spend their time while pending certification hearings, and afterwards, if they're sentenced to a prison sentence. Very short, it's just a summary, but I hope that helps.

Judge Egan Walker: It does help quite a bit, Frank. I'm glad at least you and Jack were there. In the end, I'll look to you and Jack or Bill, or, you know, obviously if any of us get (inaudible), it's an extremely important topic and one that will have dramatic effects on all of us and so it will be important for us to coordinate any information and response we can give, and I trust you and Jack to do it. All right. Anyone else have any updates on AB449 or that topic with the legislature? The next then would be to decide on next steps. I'm not going to hand out any additional assignments today, but I do want to confirm the next meeting date. So, Leslie, the proposal for the next meeting date, please?

Leslie Bittleston: Hold on while I pull up my calendar really quick.

Judge Egan Walker: Sure.

Leslie Bittleston: We are looking at December 18th. So that would be the third Friday of December, December 18th.

Judge Egan Walker: So that's the week before Christmas, correct, the Friday before Christmas?

Leslie Bittleston: I believe so, yes. The Friday before that would be Friday, December the 11th.

Judge Egan Walker: Well, let's do this: we'll meet -- we'll build an agenda. Leslie, I'll ask you to have the agenda to Joey and I --

Leslie Bittleston: Okay.

Judge Egan Walker: -- no later than the week before the week of the 11th, so the first week of December.

Leslie Bittleston: Uh-huh.

Judge Egan Walker: What we'll do is send the agenda item out with -- asking people to RSVP and we'll try and see if we can get a quorum on the 18th.

Leslie Bittleston: On the 18th. Okay.

Judge Egan Walker: If we can't get a quorum on the 18th, I'll probably just cancel the December meeting, but we'll do it by RSVP in advance.

Leslie Bittleston: Okay.

Judge Egan Walker: So the next meeting will be December 18th at 1:00. I want to open the public

Comment and discussion just briefly with this information. All of you, you all should have seen the letter that Joey and I coauthored to the governor about our COVID-related concerns. I simply wanted to report back to all of you I've received no response. Joey and I did meet with a member of staff of the governor prior to that letter, expressed some concerns we have. Suffice it to say that in this crisis, the governor trusts all of us to continue in the direction we choose. I'll leave to you all to determine what you think that means. I trust all of you. At least I'll say that. Is there any other public comment?

Jack Martin: Yes, sir. Chairman Walker, If I could. This is Jack Martin Parker from Clark County.

Judge Egan Walker: Please, go ahead, Jack.

Jack Martin: Just a very quick public comment and for lack of a better term, a shout out to a young -- a young man who recently is no longer the chief in Douglas County, Mr. Schick. Chief Schick is no longer the chief there. That was sent out to us, our NAJJA collective. I'm sure everybody knows, but to not speak about Scott Schick in this context and in this meeting and at least say, you know, Nevada is a worse place for not having Scott Schick as a chief somewhere would be remiss on at least my part. Scott Schick advocated for the rurals, he advocated for kids, he advocated for progressive measures in juvenile justice, he was always there to pick up the baton for anybody around and for us to not say something kind about him in this as he was the one of the architects of the first, what was it, the Supreme Court committee, he was very active in this committee. I just wanted to put it on the record that I thank Scott Schick for everything he's done for Nevada's youth and I hope he finds work here in Nevada. If I can at Clark County, I'm going to try to woo him down here. I hope we all, you know, just take a moment and are thankful for the work he's done for our state. Thank you.

Judge Egan Walker: Indeed. Your comments are a joy and appropriate, Mr. Martin. I'll simply state I had not mentioned his departure from Clark County because in the words of Ms. Salla, I was going to leave to him to tell his own story. I literally don't know the story of his departure, but more important, your words are kind and appropriate and I echo them. Thank you for them, Mr. Martin. Any other public comment?

Leslie Bittleston: Judge, this is Leslie. Can I add to what Mr. Martin said?

Judge Egan Walker: Sure.

Leslie Bittleston: I did reach out to Mr. Schick to inquire about his role on the JJOC. He is -- he has been appointed by the Nevada assembly as a representative so he is not filling a position tied to being a chief of a probation department. So in my conversation with Mr. Schick, he is -- he intends to fulfill his -- his term and his term expires next year. So my understanding is we will see him again as he has chosen to finish his term.

Judge Egan Walker: That's good news. Thank you for bringing the subject up, Jack. Any other public comment? It's a pleasure to see all of you. All of you I see seem to be healthy. I hope you're also happy and that your families are likewise healthy. Please take good care. I'll see you all in December.

Leslie Bittleston: All right. Thank you.

[end of meeting]